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Former attorney general: Private sector better suited to handle cybersecurity

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The private sector should recognize it has a mutual interest with the government on cybersecurity and lead on cyber innovation, but should also have to comply with information-sharing requirements, a former U.S. attorney general said this week.

"The innovation comes from the private sector," Mike Mukasey, attorney general in the George W. Bush administration, said at a French-American Foundation event on cybersecurity law Tuesday. "It doesn't come from government. You really need to rely on the people doing the innovation, not the people coming along behind."

Mukasey said the private sector and government share a mutual interest in cybersecurity, noting the government can help protect the private sector from cyber attacks as part of its national security responsibilities. However, he added that information-sharing on data breaches and threat information should be compulsory.

"If somebody can take down the power grid, I want a power company to tell me that," Mukasey said.

Compulsory information sharing should coincide with liability protections, as litigators will likely file claims against companies that encounter cyber attacks and share threat information, Mukasey said.

Though Mukasey said info-sharing and liability protections would be necessary, he said that rather than focusing on new cyber laws, government and industry alike should focus on detecting threats and running down and punishing cyber criminals.

A French Embassy official said at the event that cyber response should parallel normal law enforcement procedures, stating that cyber crime — like crimes such as murders and abductions, as well as terrorism threats — must receive a fast and efficient reaction from trained personnel to mitigate and eliminate risks.

"Cyber investigations should be regulated as investigations in the real world," said Frédéric Doré, the deputy chief of mission at the French Embassy in Washington. — *Joshua Higgins* (jhiggins@iwppnews.com)

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